

Finding of No Significant Impact

**Prepared by
U.S. Department of the Interior
Bureau of Land Management**

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Chapter 1. Finding of No Significant Impact

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1.1. Grapevine Springs Restoration Project

Environmental Assessment DOI-BLM-NV-S030–2014–0023–EA

I have reviewed Environmental Assessment (EA) DOI-BLM-NV-S030–2014–0023–EA dated 02/05/2015. After consideration of the environmental effects as described in the EA, and incorporated herein, I have determined that the proposed Grapevine Spring Restoration Project with the mitigation measures described below will not significantly affect the quality of the human and natural environment and that an Environmental Impact Statement (EIS) is not required to be prepared.

I have determined the proposed action is in conformance with the Bureau of Land Management (BLM) approved 1998 Las Vegas Resource Management Plan (RMP), and is consistent with applicable plans and policies of county, state, tribal and Federal agencies. This finding and conclusion is based on my consideration of the Council on Environmental Quality's (CEQ) criteria for significance (40 CFR 1508.27), both with regard to the context and the intensity of impacts described in the EA.

1.2. Context:

Grapevine Springs are located in Nye County, in the Pahrump Field Office. The spring sources are located north of Pahrump, approximately 4 miles northeast of the town of Johnnie off Highway 160 in Nye County (T17S, R53E, Sec. 21SW). A BLM special status species, the Southeast Nevada springsnail (*Pyrgulopsis turbatrix*) inhabits this spring complex. A USGS continuous streamgauge to quantify streamflow from Grapevine Springs has been collecting baseline data since September 2013. Water testing of the spring and ponds has been conducted as well as motion sensor cameras installed to monitor springs. These and other monitoring elements have found the spring and surrounding area have been heavily disturbed and in need of protection. If not fenced, Grapevine Springs will continue to be impacted with little chance to recover on its own.

In order to restore a portion of Grapevine Springs to proper functioning condition and reduce threats to the BLM sensitive species utilizing the springs, approximately the first 800 ft of Grapevine Springs springbrook (from the adit/gate to the two-track road that crosses the spring) will be enclosed. The fence will be installed in two stages. The first 600 feet will be installed early 2015 and if no adverse impacts are detected within the first year, additional 200 feet of the springbrook will be fenced, totalling 800 feet of fenced off springbrook. In addition, the lower artificial pond will be breached in a small section to reconnect the spring flow with the main spring channel by way of a culvert under the road. No additional fencing is proposed on the restored/reconnected spring. By fencing the upper portion of the water flow at this spring, BLM can ensure the proper management of this BLM sensitive species. The total amount of disturbance is less than 0.5 acre. Water sources are still available for wildlife and wild horses and burros to use in the unfenced areas of Grapevine Springs as well as the nearby intermittent Kwitchip and Diebert Springs, and multiple springs located on US Forest Service lands in the Spring Mountains.

In addition, the Proposed Action would include:

- installing interpretive signs to provide information and education to the public on the restoration efforts through the fencing project. The information may also be valuable in reducing the chance of vandalism at this site.

- cutting and planting willow stakes along the main spring to head start the riparian vegetation and additional native rocks may be placed in the spring to enhance habitat for the springsnails.
- monitoring of the site will continue springsnail surveys, water flow data collection, PFC assessment, water quality testing, and wildlife and wild horses and burros usage.

1.3. Intensity:

Fence installation will require 2–5 people and 1-2 pickup trucks, plus one trailer to carry materials. The trucks will only be driven and parked on established roads. Fence installation would require people to work on site for no more than two weeks. Breaching the small section of the pond and installing a culvert under the road would require a maintenance crew of 2 people and one backhoe/bobcat which would be brought in on a truck and trailer and driven/parked on established roads. The breach work would be completed within one day.

1. **Impacts that may be both beneficial and adverse.**

The EA considered both the beneficial and adverse impacts of the proposed action. There would be a benefit to the BLM's ability to manage the BLM sensitive species if continuous undisturbed habitat will be available at Grapevine Springs. Continued monitoring will inform BLM resource specialists how effective restoration efforts are and if other factors may be present that impact the habitat of the Southeast Nevada Springsnail.

There is a limited potential for adverse impacts to desert tortoises during construction when heavy equipment and vehicles are in the Grapevine Springs, but with the design features incorporated into the Proposed Action, the adverse impacts are expected to be minimal.

2. **The degree to which the proposed action affects public health or safety.**

While the construction activities may temporarily effect public land users, impacts to public health or safety are not expected as construction activities will follow BMPs that include safety standards.

3. **Unique characteristics of the geographic area such as proximity to historic or cultural resources, park lands, prime farmlands, wetlands, wild and scenic rivers, or ecologically critical areas.**

Grapevine Springs, located in the Pahrump Field Office, is in relative close proximity to several historic sites in the area. This action would not have any effects to these sites or other resources in the immediate area. In three of the four alternatives in the BLM Resource Management Plan Revision, Grapevine Springs is being considered to be designated as an ecologically critical area. is considering in one or more alternatives.

4. **The degree to which the effects on the quality of the human environment are likely to be controversial.**

As the installation of the fence will allow the riparian area of Grapevine Springs to recover and restore itself, it is expected that any lasting effects on the human environment will be positive. The Proposed Action would have protection for wildlife and have water source availability for wild horses and burros, thus reducing controversy to these species.

5. **The degree to which the possible effects on the human environment are highly uncertain or involve unique or unknown risks.**

Little uncertainty exists as the action is restricted to a small area and the techniques used are based on industry-standard and BLM best management safety practices. There are no unique or unknown risks to the human environment, since safety and conservation measures will be implemented, such as finger gates for animals that inadvertently get into the enclosure.

6. **The degree to which the action may establish a precedent for future actions with significant effects or represents a decision in principle about a future consideration.**

The proposed action will be implemented within existing authorities, regulations and policies and does not establish a precedent for future actions.

7. **Whether the action is related to other actions with individually insignificant but cumulatively significant impacts.**

Under the proposed action, no significant cumulative effects were identified in the EA.

8. **The degree to which the action may adversely affect districts, sites, highways, structures, or objects listed in or eligible for listing in the NRHP or may cause loss or destruction of significant scientific, cultural, or historical resources.**

Under the proposed action, the fence would be installed (and potentially removed) in such a way to maintain the site's integrity as a site eligible for listing in the National Register of Historic Places (NRHP).

9. **The degree to which the action may adversely affect an endangered or threatened species or its habitat that has been determined to be critical under the ESA of 1973.**

Although there is a limited potential for impacts to desert tortoise by use of heavy equipment, the project would implement terms and conditions under the offices programmatic biological opinion to avoid and minimize any impacts.

10. **Whether the action threatens a violation of Federal, State, or local law or requirements imposed for the protection of the environment.**

The Proposed Action is in conformance with the Las Vegas RMP, approved October 5, 1998. The RMP identifies a broad range of management activities that may be implemented under the "principles of multiple-use as required by the Federal Land Policy and Management Act (FLPMA), as well as managing/protecting sites known to be eligible for NRHP nomination.

1.4. Design Features and Mitigation Measures to minimize effects

The Proposed Action will include the following design features to minimize effects to resources:

1. Comply with all applicable local, state, and federal air, water, hazardous substance, solid waste, or other environmental laws and regulations.
2. Employee best management practices for excessive fugitive dust during project activity.
3. Comply with fire restrictions current at time of project implementation.

4. Comply with standard weed mitigation procedures and BMP's.
5. Comply with the Endangered Species Act and section 7 Consultation for this project is covered under the Programmatic Biological Opinion (84320-2010-F-0365) contingent on compliance with the attached terms and conditions.
6. A speed limit of 25 miles per hour shall be required for all vehicles travelling on the existing access roads.
7. Minimize physical disturbance to the waterway, banks, and surrounding vegetation. Use only existing travel routes and travel through open upland areas whenever possible.
8. Should a desert tortoise enter the area of activity, all activity shall cease until such time as the animal has left the area of its own accord.
9. Workers will be instructed to check underneath all vehicles before moving them as tortoises often take cover underneath parked vehicles.
10. Provide education and guidance to those on-site about springsnails to minimize any adverse impacts from work activities. Any need to enter the stream should be cleared of springsnails in the immediate area prior to entering the spring.
11. If sedimentation is expected from work in and near stream, sediment, runoff, and erosion control measures should be installed before starting work (e.g., temporary silt fences immediately below work area). These should be cleared of any rocks and/or vegetation that may contain springsnails.
12. The proponent will be required to adhere to the following mitigation measures to protect migratory birds:
 - 1) To prevent undue harm, habitat-altering projects or portions of projects should be scheduled outside of the bird breeding season. In upland desert habitats and ephemeral washes containing upland species, the season generally occurs between February 15th and August 31st.
 - 2) If a project that may alter any breeding habitat has to occur during the breeding season, then a qualified biologist must survey the area for nests prior to commencement of construction activities. This shall include burrowing and ground nesting species in addition to those nesting in vegetation. If any active nests (containing eggs or young) are found, an appropriately-sized buffer area must be avoided until the young birds fledge.
13. Cactus and yucca may be present within the project impact area. Only minimal surface disturbance will occur and vehicle access is limited to existing roads. To the extent practical, cacti and yucca within the project area should be avoided by this action. If unable to be avoided, cactus and yucca should be salvaged and replanted after fence installation as stated in project description.
14. All individuals will not harass (feed, pet, chase, etc.) wild horses or burros if encountered on or near the roads or project areas. If they do see any wild horses or burros, they should keep a safe distance, they are wild animals and can be unpredictable, especially during foaling and breeding season.

In addition to the design features described above and in Ch. 2, the following mitigation measures would be incorporated to reduce potential impacts to the following resources:

Migratory Birds:

1. To prevent undue harm, habitat-altering projects should be scheduled outside the bird breeding season. In upland desert habitats and ephemeral washes containing upland species, the season generally occurs from February 15th through August 31st.
2. If a project that may alter any breeding habitat has to occur during the breeding season, then a qualified biologist must survey the area for nests prior to commencement of construction activities. This shall include burrowing and ground nesting species in addition to those nesting in vegetation. If any active nests (containing eggs or young) are found, an appropriately-sized buffer area must be avoided until the young birds fledge. As the above dates are a general guideline, if active nests are observed outside this range they are to be avoided as described above.

Threatened, Endangered, Proposed or Candidate Wildlife Species and Critical Habitat:

1. If construction activity utilizes any heavy equipment on breaching the lower pond, it will require a desert tortoise monitor to escort and clear in front of the equipment if carried out from March through November when desert tortoise are most active per Terms and Conditions provided. This project will also require a monitor, FCR or other approved by the BLM to present an education program (see Term and Condition 1.e.) to all workers accessing the site. A copy of the terms and conditions has been uploaded to ePlanning (Sec 7 Log # NV-052-15-157).

1.5. Signed:

Recommended by: /S/ 02/06/2015

Melanie Cota [Date]
Wildlife Biologist

Approved by: /S/ 02/06/2015

Deborah J. MacNeill [Date]
Field Manager, Pahrump Field Office
